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LETTER DATED 8 MARCH 1999 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward herewith a statement issued by the Government of the Federal Republic of Yugoslavia on 5 March 1999 on the occasion of the removal from office of Nikola Poplasen, President of Republika Srpska, by Carlos Westendorp, the High Representative for Bosnia and Herzegovina (see annex).

I would be very grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

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Annex

Statement issued by the Federal Government of Yugoslavia on 5 March 1999 on the occasion of the removal from office of Nikola Poplasen, President of Republika Srpska

On the occasion of the announced decision today of the High Representative for Bosnia and Herzegovina, Carlos Westendorp, on removing from office the President of Republika Srpska, Nikola Poplasen, the Federal Government has issued the following statement:

The attempt on the part of Mr. Westendorp to remove from office Nikola Poplasen, the President of Republika Srpska, by decree, is an illegitimate and unprecedented arbitrary act and represents the most gross violation so far of the letter and spirit of the Dayton/Paris agreement, the Constitution of Republika Srpska and the Constitution of Bosnia and Herzegovina.

By this act, Mr. Westendorp demonstrated a lack of respect and disregard for the sovereign will of the citizens of Republika Srpska, who elected their President in free and fair elections. At the same time, this position of the High Representative has dealt a heavy blow to the efforts towards progress and stabilization of the very peace process to which the Federal Republic of Yugoslavia has been making a great contribution ever since the beginning.

Not a single provision from the Dayton/Paris peace agreement or the provisions of the highest legal acts of Republika Srpska and Bosnia and Herzegovina gives Mr. Westendorp the right to undertake anything in disregard of constitutional organs and institutions or to wilfully remove from office the highest office holders.

Although this is not the first unconstitutional act and violation of the Dayton/Paris agreement by Mr. Westendorp, according to its gravity and implications this act surely represents the most gross violation so far of the mandate of the High Representative, absolutely disqualifying Mr. Westendorp from carrying out this responsible duty in the future.

In view of that, the Federal Government considers that such an illegal decision by Mr. Westendorp cannot have any constitutional or legal effect and has to be considered null and void.

The legally elected President of Republika Srpska can be removed from office only by its citizens, who elected him in the first place, on the basis of the procedure envisaged by the law - not by international officers who take it upon themselves to be above the highest legal institutions and citizens of Republika Srpska.